

Abstract

The topic of this thesis is one of the essential segments of corporate criminal liability, sanctioning of legal persons. Corporate criminal liability was incorporated to Czech legal order by the Act No. 418/2011 Sb., Act on Criminal Liability of Legal Entities and Proceedings Against Them (hereinafter as „the Act“), that came into force on 1. 1. 2012 and ever since penal sanctions can be imposed on legal persons. Main goals of the thesis are to introduce the theme to readers and critical evaluation of sanctioning in the Act.

The first chapter deals with general questions of corporate criminal liability and explanation of basic conditions of the criminal liability. There are also mentioned the main issues of possibility of attribution of a criminal act to a legal entity.

The second chapter is dedicated to sanctioning of legal persons in general. The chapter analyzes basic differences between sanctioning of legal persons and natural persons, that cause modification of purpose and principles of sanctioning of legal persons. It also covers different approaches in variability of sanctions in legal orders of European countries.

The third, most important, chapter analyzes each particular sanction under the Act. It points out defects of the sanctioning and there are also mentioned critical comments of legal theoreticians. This chapter also reviews the application of particular sanctions in Czech court and possibility of imposing the sanctions in jurisprudence. The end of this chapter contains solutions *de lege ferenda*.

The fourth chapter is related to the sanctioning of legal persons in selected European countries. The part is focused on regulations, that could inspire Czech legislators, especially on the Austrian one.

The last chapter is general review of the thesis and evaluation of sanctioning of legal persons in the Act.